

Senate File 327 - Introduced

SENATE FILE _____
BY BARTZ

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to sanitary districts by amending a district's
2 authority to regulate certain private sewage disposal
3 facilities, excluding agricultural property from a property
4 tax levy imposed by a district, and amending provisions
5 related to annexation by a district.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 2126SS 83
8 md/nh/8

PAG LIN

1 1 Section 1. Section 358.16, subsection 2, unnumbered
1 2 paragraph 1, Code 2009, is amended to read as follows:
1 3 The board of trustees may require connection to the
1 4 sanitary sewer system established, maintained, or operated by
1 5 the district from any adjacent property within the district,
1 6 and require the installation of sanitary toilets or other
1 7 sanitary sewage facilities and removal of other toilet and
1 8 other sewage facilities on the property. However, the board
1 9 of trustees shall not regulate, restrict the use, or require
1 10 the connection of a private sewage disposal facility approved
1 11 by a county board of health under section 455B.172.

1 12 Sec. 2. Section 358.18, unnumbered paragraph 1, Code 2009,
1 13 is amended to read as follows:
1 14 The board of trustees of any sanitary district organized
1 15 under this chapter shall have the power by ordinance to levy
1 16 annually for the purpose of paying the administrative costs of
1 17 such district, or for the payment of deficiencies in special
1 18 assessments, or for both, a tax upon property within the
1 19 territorial limits of such sanitary district, except property
1 20 assessed as agricultural property, not exceeding fifty-four
1 21 cents per thousand dollars of the adjusted taxable valuation
1 22 of the property within such district for the preceding fiscal
1 23 year.

1 24 Sec. 3. Section 358.26, subsection 1, Code 2009, is
1 25 amended to read as follows:
1 26 1. ~~In a county which has more than seven thousand five~~
1 27 ~~hundred acres of natural lakes, the~~ The board of trustees may,
1 28 or upon request of property owners representing twenty-five
1 29 percent of the valuation of the property to be annexed,
1 30 excluding property owned by the sanitary district, shall, file
1 31 a petition in the office of county auditor of the county in
1 32 which the property to be annexed or the major part of the
1 33 property is located, requesting that there be submitted to the
1 34 voters of the existing district and the area to be annexed the
1 35 question whether the territory proposed to be annexed should
2 1 be annexed to the sanitary district. The property to be
2 2 annexed must be located within the watershed of a natural lake
2 3 or navigable water as defined in section 462A.2 in the
2 4 existing district. The board of supervisors of the county in
2 5 which the property to be annexed or the major part of the
2 6 property is located shall have jurisdiction of the proceedings
2 7 on the petition.

EXPLANATION

2 9 This bill amends provisions relating to sanitary districts
2 10 under Code chapter 358. The bill provides that a sanitary
2 11 district may not regulate, restrict the use, or require the
2 12 connection of a private sewage disposal facility approved by a
2 13 county board of health under Code section 455B.172.
2 14 The bill excludes agricultural property within the sanitary
2 15 district from property taxes levied by the district.

2 16 Current law provides that, in a county which has more than
2 17 7,500 acres of natural lakes, the board of trustees may, or
2 18 upon receiving a request from property owners representing 25
2 19 percent of the valuation of the property to be annexed shall,
2 20 file a petition for annexation in the office of the county
2 21 auditor. The bill removes the 7,500 acres of natural lakes
2 22 restriction and excludes property owned by the sanitary
2 23 district from the determination of the value of property to be
2 24 annexed.
2 25 LSB 2126SS 83
2 26 md/nh/8.1